

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Joel Vangheluwe and Jerome
Vangheluwe,

Plaintiffs,

v.

GotNews, LLC, Freedom Daily,
LLC, Charles C. Johnson, Alberto
Waisman, Jeffrey Rainforth, Jim
Hoft, David Petersen, Jonathan Spiel,
Shirley Husar, Eduardo Doitteau,
Lita Coulthart-Villanueva, Kenneth
Strawn, Patrick Lehnhoff, Beth
Eyestone, Lori Twohy, Raechel
Hitchye, James Christopher Haste,
Christopher Jones, Connie Comeaux,
Gavin McInnes, Richard Weikart,
and Paul Nehlen,

Defendants.

Case No. : 2:18-cv-10542-LJM-EAS

Hon. Laurie J. Michelson
Mag. Elizabeth A. Stafford

**PLAINTIFFS' RESPONSE TO DEFENDANTS GOTNEWS, LLC'S AND
CHARLES JOHNSON'S MOTION FOR SANCTIONS**

COME NOW Plaintiffs Joel Vangheluwe and Jerome Vangheluwe, and serve their Response to Defendants GotNews, LLC's and Charles Johnson's Motion for Sanctions (Dkt. No. 44).

I.

Plaintiffs have attempted to communicate with counsel for Defendants in the past regarding a joint report to file with this Court (see Plaintiffs' Report – Dkt. No. 43). Defendants have yet to provide Plaintiffs with any input on this joint report.

Plaintiffs were left with no alternative but to file their own report to comply with this Court's Order (see Court Order – Dkt. No. 20).

Plaintiffs still have not received from Defendants the information they need to evaluate Defendants' Motions as required by this Court's Order of May 16, 2018 (Dkt. No. 20). Plaintiffs have requested Defendants to provide them with the "public record" upon which they will base their defense and the name of the author of the defamatory article. Neither has been supplied.

Plaintiffs cannot force Defendants to comply with this Court's Order. If Defendants' counsel is sick, they have very competent counsel in Mr. Fink, who is also listed as counsel for Defendants on their Motion for Sanctions, and who can assist.

II.

Defendants, in their Motion for Sanctions state "[t]he proper joint report can be completed within about 48 hours." As of the filing of this Response, Defendants have yet to provide any input on the joint report. It has been more than 48 hours since counsel Randazza and Fink have filed their Motion for Sanctions.

Again, Plaintiffs cannot force Defendants to keep the assurances they made to this Court.

III.

COURT GUIDANCE

Defendants' Motion for Sanctions and their failure to comply with this Court's order suggests guidance from the Court is needed. Defendants will not even keep the assurances they made to this Court that "[t]he proper joint report can be completed within about 48 hours," which further highlights the need for Court guidance.

IV.

REMEDY

WHEREFORE, PREMISES CONSIDERED, Plaintiffs request this Court deny Defendants GotNews, LLC's and Charles Johnson's Motion for Sanctions and provide further instruction and/or guidance to the parties regarding the Court's ordered Joint Conference Report.

Respectfully submitted,

SOMMERMAN, McCAFFITY
& QUESADA, L.L.P.

/s/ Andrew B. Sommerman

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Dated: June 22, 2018

CERTIFICATE OF SERVICE

The undersigned certifies that on June 22, 2018, the foregoing Response to Defendants GotNews and Charles Johnson's Motion for Sanctions was served via ECF on counsel of record who have appeared in the case.

Furthermore, on June 20, 2018, I affirm that I placed true and accurate copies of this document in First Class postage-prepaid, properly addressed, and sealed envelopes which were addressed to: Lita Coulthart-Villanueva, [REDACTED] Jeffries St., Anderson, CA [REDACTED] and Kenneth G. Strawn, [REDACTED] Cypress Lane, Mission Viejo, CA [REDACTED].

/s/ Andrew B. Sommerman
Andrew B. Sommerman